Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-8 and 10-45 are pending in the application, with claims 1, 7, 14, 20, 30, 39 and 45 being the independent claims. Claim 3 is amended.

In the Final Office Action dated December 14, 2004, claim 3 is objected to due to an antecedent basis problem. Claims 1, 7, 20, 30 and 45 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Carter et al., U.S. Patent No. 6,026,474. Claims 1, 7, 20, 30 and 45 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Goren et al., U.S. Patent Publication No. 2002/0143960 A1. Claims 2-6, 8, 10-19, 21-29 and 31-44 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Goren et al. in view of Tormasov et al., U.S. Patent Publication No. 2002/0147815 A1.

Amendment of Claim 3

Claim 3 has been amended to address the antecedent basis issue. Applicants respectfully request reconsideration and withdrawal of the objection.

§ 103(a) Rejections Based on a Combination of Goren et al. and Tormasov et al.

Claims 2-6, 8, 10-19, 21-29 and 31-44 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable based on a combination of Goren et al. and Tormasov et al. These rejections are respectfully traversed. Tormasov et al., U.S. Patent Publication No. 2002/014815 A1 is commonly owned with the present application (both are owned by SWsoft Holdings Ltd.). Accordingly, under 35 U.S.C. § 103(c), Tormasov et al. is not a proper reference for a rejection under 35

U.S.C. § 103(a). Applicants therefore respectfully request reconsideration and

withdrawal of the rejections under § 103(a) of claims 2-6, 8, 10-19, 21-29 and 31-

44.

The rejections of claims 1, 7, 20, 30 and 45 based on Carter et al.

Addressing the Carter et al. reference, it is useful to clarify definitional

issues first. The Office Action appears to use the term "environment" in its MS-

DOS interpretation – as a storage area. A similar definition can be seen, for

example, at http://www.webopedia.com/TERM/e/environment.html:

ENVIRONMENT:

(1) The state of a computer, usually determined by which programs are
running and basic hardware and software characteristics. For example, when
one speaks of running a program in a UNIX environment, it means running
a program on a computer that has the UNIX operating system.
One ingredient of an environment, therefore, is the operating system. But
operating systems include a number of different parameters. For example,
many operating systems allow you to choose your command prompt or a
default command path. All these parameters taken together constitute the
environment.

Another term for environment in this sense is "platform":

(2) In DOS systems, the environment is an area in memory that the
operating system and other programs use to store various types of
miscellaneous information. For example, your word processor may use the
environment area to store the location of backup files. You can view or
modify the environment with the SET command.

This interpretation is entirely different from the virtual environments

disclosed and claimed in the present application, since the virtual environments

"**run**" on the computer cluster (see claims 1 and 7), or provide hosting services (see

claims 20, 30 and 45). The "DOS environments" do not "run" in any sense of the word on a computer cluster, nor do they provide hosting services.

Carter et al. does not disclose any set of hardware and software resources that may be considered as a virtual environment intended for running applications. Each node disclosed in Carter has its own operating system (col. 16, lines 49 – 52), which can be any commercially available or proprietary operating system (col. 17, lines 5 – 9). All the nodes 212a – 212c (see FIG.5 of Carter et al.) have native dedicated hardware resources and share virtual memory only.

Carter discloses that shared memory that may be treated by means of the local node without single control center. These means (cooperating elements) "provide a structured storage system that has a distributed architecture and thereby achieves greater fault tolerance, reliability, and flexibility than known structured storage systems that rely on centralized control and centralized servers." (col. 4, lines 53 – 56).

Carter et al. emphasizes that its invention **does not use a control center**. The shared memory subsystems coordinate the memory accesses to the addressable shared memory space and each of the data control programs is relieved from having to manage and coordinate its activities with the other data control programs on the network, or from having to manage and coordinate its activities with one or more central servers (see col. 5, lines 36-42).

It should also be noted, that, contrary to the assertion in the Office Action (see page 3, end of paragraph 4), a proxy server cannot be used as a control center, since the proxy server is normally used as a web cache, without any control

functions. Furthermore Carter et al. does not use a proxy server (see col. 27, lines 53-55, which discusses why Carter et al. improves on traditional proxy servers). In other words, the shared memory described in Carter et al. is not supported by means of control center, since each node treats shared memory by means of local control programs. The control programs themselves are executed without coordination by the control center.

Furthermore, Carter et al. **does not disclose a hosting service platform**, since the system and method described in Carter et al. are intended for use **on and by means of the client side**.

In sum, Carter et al. fails to disclose either a control center or provision of hosting services. Accordingly, Applicants respectfully request reconsideration and withdrawal of these rejections.

The rejections of claims 1, 7, 20, 30 and 45 based on Goren et al.

Turning now to Goren et al., paragraph 1030 of the present application discusses how the cluster nodes are single hardware devices (for example, servers from a rack of servers shown on FIG. 4 of the present application, or client-side computers). Goren et al. is directed to Virtual Private Networks (VPNs), which is an entirely different concept. Specifically, a single PNC (Private Network Community) described in Goren et al. is not analogous to a single node of the present application, since the PNC is itself a network (that also includes end user machines).

The disclosure of Goren et al. should be contrasted with the recited elements. Claim 1 recites "**a computer cluster ... and a plurality of virtual**

environments running on the computer cluster." The Office Action, as best understood, treats the PNCs of Goren as **both** "a computer cluster" **and** as "a plurality of virtual environments." This, however, is unsupported by the disclosure of Goren et al.-- even if, *arguendo*, the PNC can be viewed as a computer cluster, it **cannot** simultaneously be a plurality of virtual environments. In other words, at least one of the recited elements is absent from Goren et al.

Accordingly, Applicants respectfully request reconsideration and withdrawal of these rejections.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is

respectfully requested.

Respectfully submitted,

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